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**JUN 09 2006**

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**FACSIMILE TRANSMISSION**

Date: June 9, 2006

To:

Mr. Neil Levy  
Examiner  
USPTO

Fax (Personal): 571-273-0619  
Fax: 571-273-8300

Total Pages Following:

10

Re: CLX-602 (Application No.: 09/870117)

Attached please find the following documents:

1. AMENDMENT AND RESPONSE TO INTERVIEW SUMMARY DATED 06/08/2006 - 10 pages; and
2. Copy of INTERVIEW SUMMARY - 1 page.

CONFIDENTIAL: This sheet and attached materials are CONFIDENTIAL and intended for use by the above mentioned recipient(s) only. If this is in your possession and you are not an intended recipient please call (650) 348-1444, collect calls accepted.

CLX-602

002

COPY

Ray E. Shahani  
Attorney at Law  
Received

Date 6-8-06  
Copy to Client: 6-9-06  
Due Date: ASAP



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILED DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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09/870117

SCHIAVO et al

EXAMINER
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NEIL Levy

ART UNIT	PAPER NUMBER
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1615 6/8/06

DATE MAILED:

### INTERVIEW SUMMARY

All participants (applicant, applicant's representative, PTO personnel):

- (1) Attorney Ray Shahani (3)  
(2) NEIL Levy (4)

Date of Interview 6/8/06

Type: ☒ Telephonic ☐ Personal (copy is given to ☐ applicant ☐ applicant's representative).

Exhibit shown or demonstration conducted: ☐ Yes ☒ No If yes, brief description:

Agreement ☐ was reached. ☒ was not reached.

Claim(s) discussed: 1, 3, 6, 7

Identification of prior art discussed: OF Record of Patent case SN # 09/207297 as incorrect

Description of the general nature of what was agreed to if an agreement was reached, or any other comments: EXAMINER suggests INCORPORATION of subject MATTER of claims 3 & 6 & 7 into claim 1 with Phyllethrin would overcome the prior art. Attorney argued against including Phyllethrin. EXAMINER finds an amended claim 1 with 3 & 6 & 7 still overcomes prior art, but NOT that of claim 8. Requests ATTORNEY to contact client or amending claim 1 if overruling. (A fuller description, if necessary, and a copy of the amendments, if available, which the examiner agreed would render the claims allowable must be attached. Also, where no copy of the amendments which would render the claims allowable is available, a summary thereof must be attached.) 3-7, 8, 10 to permit allowability

1. ☐ It is not necessary for applicant to provide a separate record of the substance of the interview.

Unless the paragraph above has been checked to indicate to the contrary, A FORMAL WRITTEN RESPONSE TO THE LAST OFFICE ACTION IS NOT WAIVED AND MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a response to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW.

2. ☐ Since the Examiner's interview summary above (including any attachments) reflects a complete response to each of the objections, rejections and requirements that may be present in the last Office action, and since the claims are now allowable, this completed form is considered to fulfill the response requirements of the last Office action. Applicant is not relieved from providing a separate record of the interview unless box 1 above is also checked.

Examiner Note: You must sign this form unless it is an attachment to another form.

FORM PTOL-413 (REV. 1-98)

NEIL S. LEVY

PRIMARY EXAMINER